Human Rights Risk Assessment Scan

Zarafshan Wind Farm Project

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Draft

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Acronyms and Abbreviations

Acronym	Description
asl	Above sea level
EP	Equator Principle
ESAS	Environmental and Social Advisory Services Limited
ESIA	Environmental and Social Impact Assessment
ESMS	Environmental and Social Management System
GIS	Geographic Information System
HRRA	Human Rights Risk Assessment
LRP	Livelihood Restoration Plan
MW	Mega Watt
NGO	Non-Governmental Organisation
OHL	Overhead Transmission Line
SEP	Stakeholder Engagement Plan
WTG	Wind Turbine Generator

1 Introduction

This Human Rights Risk Assessment (HRRA) has been prepared by Environmental and Social Advisory Services Limited (ESAS) for Wood for a proposed 500 Megawatts (MW) Wind Farm development (the Project) to be constructed on land within the Tamdy District of the Navoi Region, Uzbekistan. The Project is being developed by Masdar (the Developer) with the Power Purchase Agreement and Investment Agreement signed with the Uzbek Government in June 2020.

2 Overview of the Project

The Project site lies within the central part of the Kyzylkum Desert and occupies an area approximately 9,600 hectares in size. The Project is located approximately 7 km east of the centre of Zarafshan City with elevation rising from 540 m above sea level (asl) at the centre of Zarafshan to 750 m asl on the plateau.

To the north (around 3.5 km away) is Mount Aktau which is an Important Bird and Biodiversity Area. The plateau measures approximately 6.5 km x 2.5 km in size and is oriented in a west to east direction. The terrain slopes steeply in all directions at the edge.

The location of the Project Area is illustrated in Figure 1.1 along with the four met masts, the indicative location of the internal roads, the substation, the two transmission lines, and the wind turbine generators (WTGs). The main settlement is Zarafshan City which is 15 km from the Project Area. There are nine smaller villages present in the Project Area, as illustrated in Figure 1.1 which are named: Besapan, Tomdibulak (Kazbek bi), Muruntov, Jingildy, Kynyr, Rokhat, Azhyrykti, and Yangi Tomdi.

Figure 1-1: Location of the Project Area

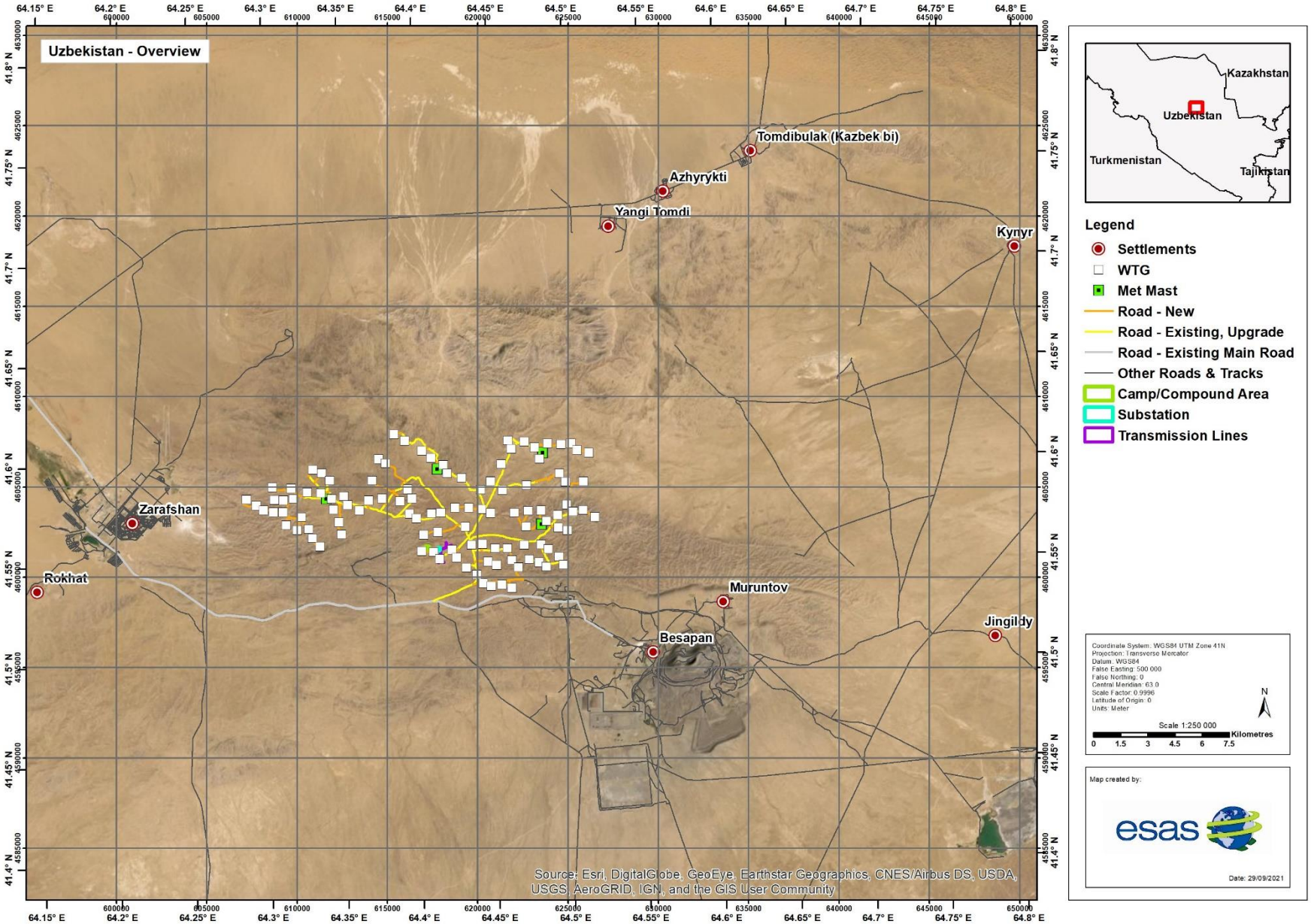

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Figure 1-2: Project Site Area

Figure 1-3: Western area of the Project site

Figure 1-4: View from the south-east

The Project involves the following elements:

- x 111 wind turbine generators WTGs with a capacity of 4.5 MW each that sit upon a WTG foundation and a (separate) hardstanding area;
- x 4 meteorological masts that are located in between WTGs to record wind speeds;
- A single substation and a single camp/compound area;
- Two, separate overhead transmission lines (OHLs) that connect Project infrastructure to the substation and national grid;
- The installation of new internal roads;
- The upgrade of existing internal roads;
- The installation of buried cables;
- The temporary use of land required for worker accommodation and a site camp (office, etc.); and
- The temporary use of land required for general warehouse storage and a laydown area.

The location of the substation and OHL lines are illustrated in Figure 1-5.

There are no permanent waterbodies on the Project site. However, a number of seasonal drainage channels exist. The area is largely used for the grazing of sheep and to a lesser extent, goats, cattle, and horses, with several access tracks crossing the site. Evidence remains of extensive former agricultural use along with a series of man-made parallel lines (assumed to be for irrigation purposes) which are clearly visible on satellite imagery.

Ten, farmer tenancy agreements for land (referred to as 'Leased Area Agreements') are held by nine farmers (a single farmer has access to two leases) within the Project Area. Out of the ten, six Leased Area Agreements will be directly impacted through the installation of Project infrastructure: WTG foundations

and hardstanding areas, 3 (out of the 4) met masts, sections of new internal roads, sections of the upgrade of existing internal roads, and the installation of buried cables adjacent to the road network. The substation and two OHLs are located outside the Leased Area Agreements.

The locations of the Leased Area Agreements and Project infrastructure is shown in Figure 1-6. The geographical information systems (GIS) image also illustrates the location of 'active' features. These are shelters used by herders (and sometimes farmers) for overnight stays during animal grazing activities. All of the herder shelters in the Project Area have been mapped, to determine which are located inside Leased Area Agreements, and which may be impacted from the future generation of noise and shadow flicker. The active features on the map are shown using light orange and red boxes and are 'active' in that they are in occasional use throughout the year. The code or number to each active feature is used to cross-reference the feature to the relevant farmer and Land Leased Area. None of the shelters are to be impacted from noise or shadow flicker, above the applicable threshold limits after mitigation has been applied. An example of a typical herder shelter in the Project Area is illustrated in Figure 1-7.

During surveys undertaken in the Project Area, multiple abandoned features were identified (sometimes just a pile of rocks) and were mapped, although they have no livelihood or economic value. The abandoned features are shown using blue circles. No abandoned features are to be impacted by the installation of the Project.

An Environmental and Social Impact Assessment (ESIA) identified potential risks and impacts arising from the Project. As part of the assessments to land and livelihoods, a series of GIS calculations were undertaken and indicated that the expected percentage of loss from temporary access restrictions during construction, and from permanent land use change during operations, will result in very low levels of change. For example, the greatest extent of change predicted to occur, is 1.75% within Farmer 3's Leased Area of Land during construction. Such a small level of change is, in reality, unlikely to be noticed by the farmer who experiences a wide range of challenges that influence his income, typically arising from a lack of access to water and adverse weather conditions where multiple animals can be lost in a short period of time.

Despite the very small amount of land being impacted from the Project, the ESIA identified this change as being involuntary and, on this basis, the requirements of Lender standards are trigged which requires the development and implementation of a Livelihood Restoration Plan (LRP).

According to the results of a socio-economic survey (which included face-to-face meetings with each farmer), the majority of the farmers live in Zarafshan City. Many of the farmers employ herders, which enter into the Project Area for short periods of time (such as 6-8 weeks), to conduct grazing. Not all herders connected to a farmer in the Project Area, actually graze animals in the Project Area as there are more favourable grazing areas to the east. Herders that are grazing animals in the Project Area, stay overnight in shelters which are generally of poor quality and provide very basic living conditions (many have no roof). None of the herders are below the age of 18 and all are male.

A single farmer also employs 4 farm workers who live in Zarafshan City and travel to the farm each day.

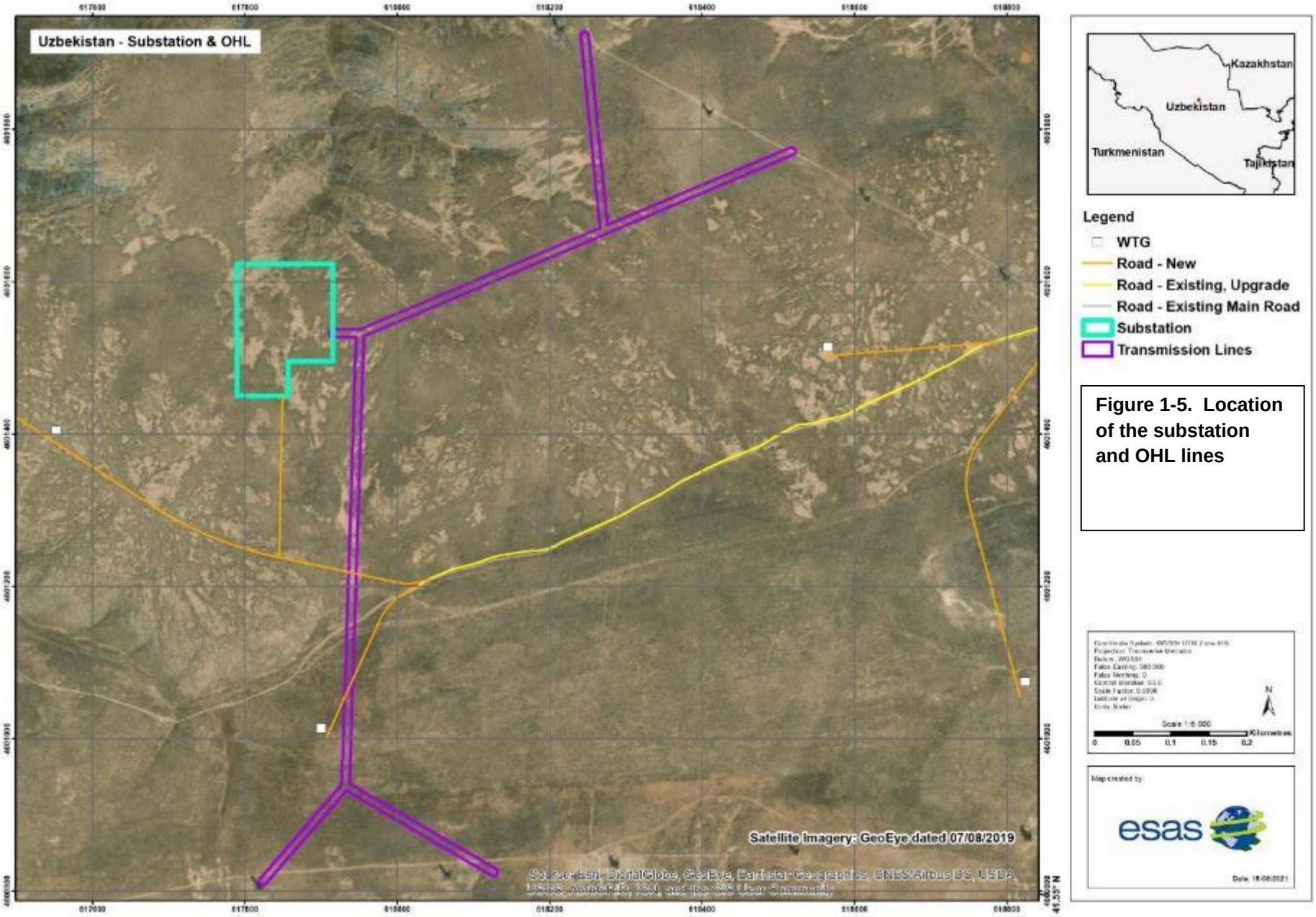

Figure 1-5. Location of the substation and OHL lines

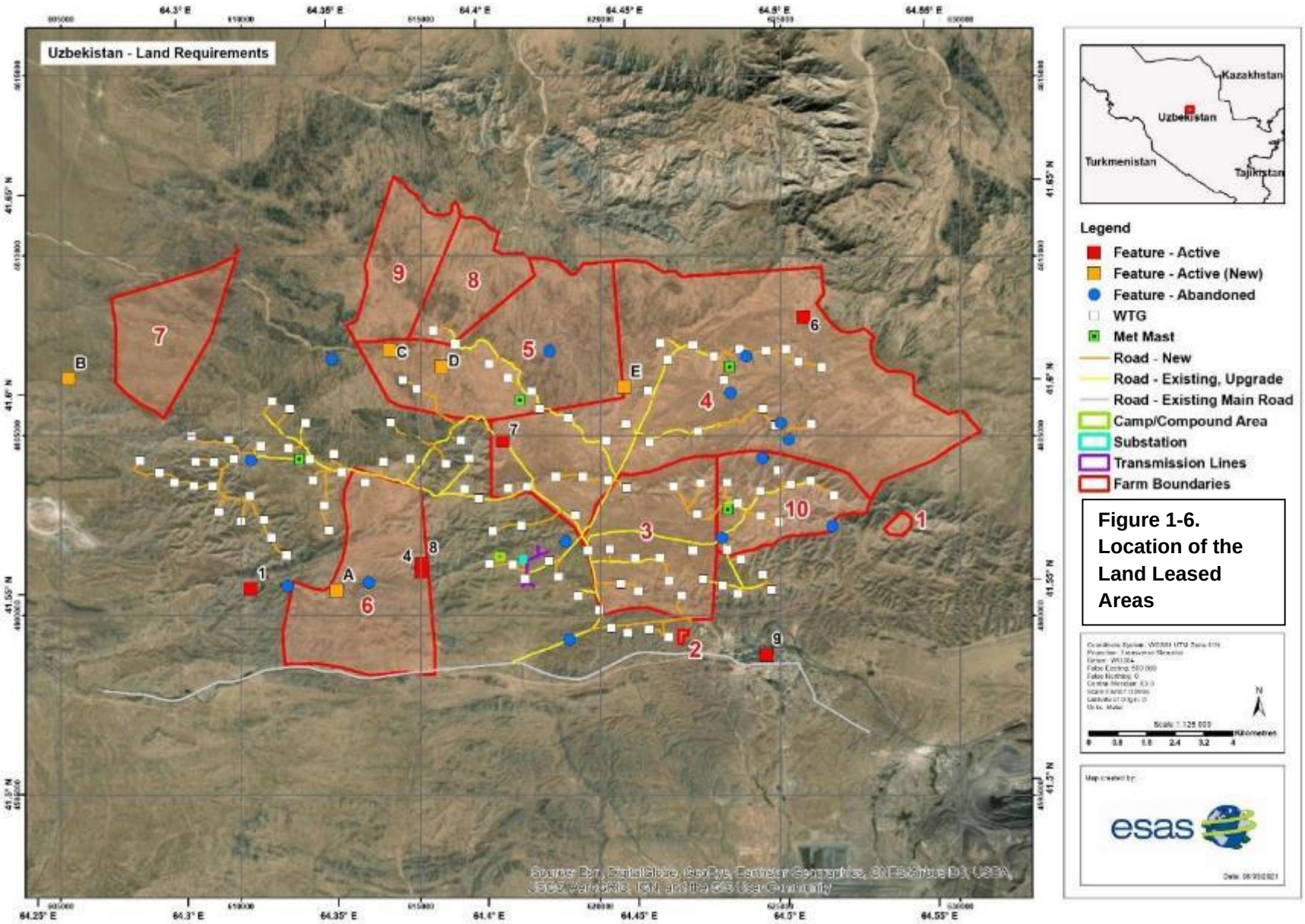

Figure 1-6. Location of the Land Leased Areas

Figure 1-7: Example of a herder shelter within the Project Area (Active Feature E inside Land Lease Agreement 4)

3 Objectives and scope

The HRRA was prepared based upon the Equator Principles 4 (EP4) Guidance Note: '*Implementation of Human Rights Assessments under the Equator Principles'* dated September 2020. The risk assessment takes into consideration the findings of the Environmental and Social Impact Assessment (ESIA), relevant concerns raised from stakeholders during implementation of the Stakeholder Engagement Plan (SEP), and other publicly-available literature relevant to the assessment.

In accordance with the EP4 Guidance Note, the HRRA commences with the completion of an 'Initial scan for human rights impacts'. The scan identifies potential human rights risks within 11 topic areas. The topic areas included in the scan, which are relevant to the Project, are taken from the EP4 Guidance Note and are listed below:

1. Labour:

- Child labour
- Collective bargaining and freedom of association
- Modern slavery (forced labour/human trafficking) (this is assessed separately for Uzbekistan and also for China where WTG components are to be procured from)
- Grievance mechanism and remedy
- Job security and the right to work
- Non-discrimination
- Occupational health and safety
- Wages (pay equity, standard of living)
- Working hours.

2. Civil and political:

- Freedom of expression
- Right to life and security of person

- Right to privacy.

3. Economic, social, and cultural:

- Right to education
- Right to health
- Right to water

4. Social insurance.

5. Land and resettlement:

- Right to property ownership
- Compensation and the right to an adequate standard of living
- Compensation in the context of gender and vulnerability.

6. Group rights / heightened risk of vulnerability:

- Children's rights
- Disability rights
- Indigenous peoples / migrants rights
- Women's rights.

4 Presentation of the results

This document provides the results of the screening (scan) for Uzbekistan (Table 1) and Table 2 provides a summary of the risks and the risk rating. The assessment uses the following terms, all of which are taken from the EP4 Guidance Note:

- Scale: High, medium or low – which reflects the magnitude of change associated with the human rights risk.
- Scope: Individual, household, community, region – which reflects the geographic area of the human rights risk.
- Remediability: - a description of the steps that could be taken to address the risk before the harm occurs using standard mitigation and monitoring measures.
- Likelihood: High, Medium or Low – which reflects the potential for the human rights risk to occur, after standard mitigation has been applied.

In accordance with the EP4 Guidance Note, overall human rights risks have been classified into:

Low-risks – where risks are unlikely to occur, if they did occur would not impact the Project or can be eliminated or mitigated through adherence to Masdar's Environmental and Social Management System (ESMS) through the use of standard mitigation and monitoring measures. These measures are considered as 'standard' in that the management plans referred to in the final column in Table 1 are already prepared, or under preparation, and therefore no additional actions are needed.

High-risks – which are those where further assessment and an in-depth analysis is required and where risks could cause a delay, reputational risk or breach of national or lender requirements for the Project, due to the specific characteristics of the Project and Project Area context.

Human Rights Issue	Risk to workers and/or Affected Communities?	Human Rights Context in Uzbekistan and the Project Area	**Human Rights Scan Assessment:** Scale: High, Medium or Low Scope: Individual, household, community, region Remediability: Steps that could be taken to address the risk before the harm occurs. Likelihood: High, Medium or Low	**Overall risk level** (High or Low)	**Proposed mitigation through implementation of Project plans and procedures**
		Human Rights category: Labour			
Child labour: ILO standards prohibit hazardous work for all persons under 18 years. They also prohibit labour for those under 15, with limited exceptions for developing countries. (Intersects with the rights of children and education).	Workers – There is a potential for child labour to be present within supply chain companies used by the EPC Contractor, particularly those that are contracted to provide catering, cleaners and other low-skilled roles, or from the suppliers of construction materials.	National legislation associated with the prohibition of child labour is reflected by Labor Code of the Republic of Uzbekistan (21.12.1995). This is aligned with the International Labor Organization (ILO)'s Convention No. 182 "*On the Prohibition and Immediate Measures for the Elimination of the Worst Forms of Child Labor*" which entered into force in Uzbekistan on June 24, 2009). Under national legislation (Article 77 of the Labor Code), it is prohibited to employ persons under the age of 15. People between the age of 15 to 17, minors can work if they have the written permission of parents (or guardian) for 24 hours/week (when schools are not running) and 12 hours/week (when schools are running). According to Article. 241 of the Labor Code, persons under the age of 18 are prohibited from working in jobs with hazardous working conditions, including work underground and other activities that may damage the health, safety or morality of minors. The Decree of the Ministry of Labor and Social Protection of the Population, the Ministry of Health of the Republic of Uzbekistan *"On the approval of the list of jobs with unfavorable working conditions, where the employment of persons under the age of eighteen is prohibited"* there is a detailed list of jobs where it is prohibited to employ persons under 18 years of age. According to the United States Uzbekistan 2020 Human Rights Report[1] there were credible reports that children were employed in small-scale family agriculture; in family businesses, such as bakeries and convenience stores; and in the provision of some kinds of services including the construction sector. There was no evidence of any government-compelled child labour. The government prohibition against the use of students in the cotton harvest remains in force.	**Scale:** High as an incident could result in the injury or death of the child. **Scope:** Individual children and their household could be affected from human rights abuses. **Remediability:** Screening of all primary supply chain companies to understand their controls on the prevention of child labour in their organisation, and the actions they take to monitor the presence of children within their supply chain companies. Audits and inspections on primary suppliers will be undertaken. Masdar and their EPC Contractor to only work with approved primary suppliers. **Likelihood:** Low. The presence of child labour is very unlikely to occur given the controls described above, although ongoing monitoring is required within the primary supply chain. This human rights risk will be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls (these already exist within Masdar's ESMS): • Supply Chain Management Plan • Construction Labour Management Plan • Human Resources Policies and Procedures
Collective bargaining and freedom of association: Collective bargaining: Individuals have the right to form or join trade unions of their choice. Trade unions must be permitted to function freely, subject only to limitations that are in line with international Human Rights standards. Workers have the right to strike, in conformity with reasonable legal requirements. Freedom of Association: Protects the right to form or join all types of associations, including political, religious, sporting/recreational, non-governmental, and trade union associations.	Workers – Contracted workers within the supply chain may not be able to create or join a union or other type of association of their choice due to the attitude of senior management or other type of barrier.	Citizen workers have the right of collective bargaining and freedom of association in the private sector is permitted in accordance with Art. 34 of the Constitution of the Republic of Uzbekistan. In addition, there is the Law of the Republic of Uzbekistan "*On Professional Communities*" (No. ЗРУ-588 06.12.2019), in which "*citizens have the right, at their choice, to voluntarily form trade unions to protect their legitimate interests, join them, engage in trade union activities" and leave from the trade unions* ". Trade union activity is well developed in the public sector, especially in the field of medicine and education. As of January 1, 2020[2], there are 32,846 primary trade union organizations in the system of member organizations of the Federation of Trade Unions of Uzbekistan, of which 31,642 operate at enterprises, organizations and institutions, 104 in the system of higher education, and 1,100 in the system of secondary specialised education. These unions operate in the public sector. In the private sector, trade union organsations are not as well developed but there is evidence of them become more active over time. According to the United States Uzbekistan 2020 Human Rights Report, national legislation prohibits anti-union discrimination of workers by senior management. The law on trade unions states that workers may not be fired due to trade union membership. However, there are no independent labour unions present across the country and all unions remain centralised, controlled by and are dependent of, the government. All regional and industrial trade unions remain state managed.	**Scale:** High as a lack of collective bargaining could result in lower standards of working terms and conditions amongst the workforce. **Scope:** A number of individuals within the workforce could be affected from human rights abuses. **Remediability:** The ability of workers to form a union is guaranteed under national legislation but no independent unions exist to date, indicating that there may be barriers within government structures to prevent an independent union forming. Masdar and their EPC Contractor already have included in their labour policy, text that allows workers to freely form, or join, a union without any discrimination. **Likelihood:** Low. The prohibition of union membership is unlikely to occur, given the controls described above although ongoing monitoring will still be required within the primary supply chain. This human rights risk will be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Human Resources Policies and Procedures • Construction Labour Management Plan • Supply Chain Management Plan to include audits and inspections on high-risk supply companies.

[1] United States Department of State. Uzbekistan 2020 Human Rights Report. Available at: https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/uzbekistan/ [accessed 28 September 2021]

[2] Portal of the Federation of Trade Unions of Uzbekistan. Available at: https://kasaba.uz/ru/novyj-uzbekistan-novye-pofsoyuzy-o-deyatelnosti-federatsii-profsoyuzov-uzbekistana-v-2016-2020-gg-i-prioritetnyh-zadachah-profsoyuzov-na-sovremennom-etape-natsionalnogo-progressa/ [accessed 29 September 2021]

Human Rights Issue	Risk to workers and/or Affected Communities?	Human Rights Context in Uzbekistan and the Project Area	**Human Rights Scan Assessment:** Scale: High, Medium or Low Scope: Individual, household, community, region Remediability: Steps that could be taken to address the risk before the harm occurs. Likelihood: High, Medium or Low	**Overall risk level** (High or Low)	**Proposed mitigation through implementation of Project plans and procedures**
Modern slavery (forced labour/human trafficking) - Uzbekistan: Slavery exists when one human effectively owns another. Forced or compulsory labour is defined by the ILO as all work or service that is extracted under menace of any penalty and for which the person has not voluntarily offered themselves.	Workers – Modern slavery may exist within the contracted workforce where people (including migrants and women) are forced to work, or where their employer has placed them into a position of financial debt upon their start of work. There is also the potential for workers' passports to be retained by their employer to prevent them from leaving the workplace.	National legislation associated with the prevention of forced labour and human trafficking reflects the constitution, Article 37 of the Labor Code, and Article 7 which states that forced labor is prohibited apart from exceptional circumstances. The taking of passports from workers is illegal. Under national legislation, forced labour is only permitted as legal punishment for offences such as fraud, robbery, or tax evasion, as well as for defamation and incitement of national, racial, ethnic, religious hatred. According to the United States Uzbekistan 2020 Human Rights Report, forced labour in Uzbekistan has occurred and, during 2020, the government increased its efforts to combat all forms of forced labour, informing the public of the prohibition, abolishing state production quotas for the annual cotton harvest, and increasing the amount of labour inspections.	**Scale:** High, as slavery could have a long-term impact on the mental health and general wellbeing of the individual. **Scope:** A number of individuals could be affected from human rights abuses. **Remediability:** Screening of primary suppliers to understand their controls on the prevention of modern slavery in their organisation. Audits and inspections on primary suppliers will be undertaken. Masdar and their EPC Contractor to only work with approved primary suppliers. **Likelihood:** Low. Forced labour is unlikely to occur within the Project's nationally-based primary suppliers. The EPC Contractor will not procure materials from the Gold Mining Company. This human rights risk can be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Supply Chain Management Plan to include audits and inspections on high-risk supply companies • Construction Labour Management Plan • Human Resources Policies and Procedures • Masdar and their EPC Contractor to only work with approved suppliers
Modern slavery (forced labour/human trafficking) - China: Slavery exists when one human effectively owns another. Forced or compulsory labour is defined by the ILO as all work or service that is extracted under menace of any penalty and for which the person has not voluntarily offered themselves.	Workers – Modern slavery may exist within the contracted workforce where people (including migrants and women) are forced to work, or where their employer has placed them into a position of financial debt upon their start of work. There is also the potential for workers' passports to be retained by their employer to prevent them from leaving the workplace.	There have been international media reports in 2021[3] [4] associated with allegations associated with the use of forced labour camps to manufacture photovoltaic panels and WTG components, from the Xinjiang province in China. On 15 July 2021, the United States Senate passed a bill to ban all products from China's Xinjiang in the form of a Weak or Forced Labor Prevention Act. Information from a potential supplier to the Project who have a manufacturing base in Xinjiang, indicates that the Xinjiang province is not the source of raw material or major components that are to be used by the Project. The supplier is primarily a manufacturing assembly line, research and development centre, spare parts and testing centre, and a sales office/show room. Within this facility, it is expected that the assembly lines will be operated by skilled labour in controlled environment where the potential for forced labour to be present is much lower, compared to other suppliers of global products based in the same location. Extensive information has been obtained from this supplier (including a presentation entitled: 'A Brief Sustainability Report of Goldwind regarding Zarafshan 500MW Wind Project' that reflects the controls the supplier has on its own workforce, and how they aim to be compliant with both national and international labour standards.	**Scale:** High, as slavery could have a long-term impact on the mental health and general wellbeing of the individual. **Scope:** A number of individuals could be affected from human rights abuses. **Remediability:** Same as above plus: the completion of a labour audit against the applicable requirements of national (Chinese) legislation and Lender standards, at the site where Project components are to be procured from. The labour audit is expected to take place later in 2021 and a term of reference for the audit has already been prepared. **Likelihood:** Low as no manufacturing activities are taking place in Xinjiang province, although a labour audit is still required and will be undertaken.	**Low**	• Completion of a labour to the manufacturing facility in China.

[3] Fears over China's Muslim forced labor loom over EU solar power. 2021. POLITICO. Available at: https://www.politico.eu/article/xinjiang-china-polysilicon-solar-energy-europe/
[4] Apple Did Business With A Wind Energy Company That Has Close Ties To Xinjiang. 2021. BuzzFeedNews. Available at: https://www.buzzfeednews.com/article/meghara/apple-xinjiang-wind-power-labor

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Grievance Mechanism and Remedy: All people have the right to remedy when their rights have been violated. Where business enterprises identify that they have caused or contributed to adverse Human Rights impacts, they should provide for or cooperate in their remediation through legitimate processes, whether through the company's own operational-level grievance mechanism or through cooperation with independent, non-judicial mechanisms.	Workers and Affected Communities – People may not be able to raise a grievance or seek remedy from a Project impact if they are unaware of the grievance mechanism, or do not understand/are unwilling to use it for fear of retribution or other issue.	National legislation provides specific procedures which must be followed if an individual wishes to raise a complaint against their employer. An employee can contact the following organizations in case of violation of their rights by companies: • State Labor Inspectorate of the Ministry of Employment and Labor Relations of the Republic of Uzbekistan: • Trade union organisations • Internal Affairs Bodies • Court According to Article 8 of the Law On State Duty, persons are exempted from paying fees on claims for the collection of unpaid wages and other conflicts arising from labour disputes. However, the plaintiffs may incur expenses in connection with the involvement of lawyers hired to protect their interests, but this is not mandatory and the employee can defend his interests themselves should they wish to. In accordance with the Civil Procedure Code, the judge must accept the statement of claim for consideration within 10 days after receiving it. The cases on labour disputes are generally resolved by the court no later than 20 days from the date of completion of the preparation of cases for trial. Thus, the total period of legal proceedings to protect their labour rights cannot exceed 30 days. This guarantees that to the extent possible labour disputes are settled within a relatively short period of time. Grievances that are not labour-related are typically resolved using local community leaders and judicial remedy is also available through the court system. The constitution process for the presumption of innocence and the right to a fair public trial.	**Scale:** High to low depending upon the nature of the grievance. **Scope:** Both individuals and their communities could be affected from human rights abuses. **Remediability:** A fully implemented grievance mechanism will be available for the workforce to raise concerns, should they wish to do so. Details of the worker grievance mechanism will be included in the basic HSE induction that all of the workforce will be provided with (including all workers in primary suppliers). During the Project, workers will be reminded about the availability of the grievance mechanism on a regular basis. Masdar and their EPC Contractor to only work with approved suppliers. A community grievance mechanism will also be available and implemented in accordance with the Stakeholder Engagement Plan. **Likelihood:** Low. There will be established procedures for workers and local community residents to raise a grievance, should they wish to do so. This human rights risk will be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Worker Grievance Mechanism • Human Resources Policies and Procedures • Community Grievance Mechanism • Stakeholder Engagement Plan
Job Security/Right to Work: The termination of an employment relationship is likely to be a traumatic experience for a worker and the loss of income has a direct impact on the family's well-being. The employment of a worker should not be terminated unless there is a valid reason for such termination connected with the worker's capacity or conduct or based on the operational requirements of the undertaking, establishment, or service.	Workers – The construction workforce are likely to be employed on a contract basis that reflects the duration of the construction stage.	The process and grounds for dismissing employees is enshrined in the Labor Code Articles 97-113. An employer can dismiss an employee only for the following reasons: 1) Changes in technology, organisation of production and labour, reduction in the volume of work, resulting in a change in the number (staff) of employees or a change in the nature of work, or the liquidation of the enterprise; 2) Inconsistency of the employee with the work performed due to insufficient qualifications or health conditions; 3) Systematic violation by the employee of his labour duties. 4) One-time gross violation by the employee of his labour duties. 5) Termination of an employment contract with part-time workers in connection with the admission of another employee who is not a part-time worker, as well as due to the restriction of part-time work due to working conditions; 6) The employee reaches retirement age if he has the right to receive a state old-age pension in accordance with the legislation. The provisions of Articles 97-133 do not apply to contract workers. Workers on fixed term contracts include a clause that relates to termination. If the employer wishes to end the contract prematurely, then the worker is entitled to compensation until the end of the contract is reached depending upon the contract's specific terms and conditions. If the worker is on an open term contract, then termination can be given by any party through serving a paid notice period of (typically) three months although this does depend on the contract's terms.	**Scale:** High, as sudden termination of their contract could have a significant impact on the wellbeing and economic status of the household. **Scope:** Both individuals and their household could be affected from human rights abuses. **Remediability:** Workers shall be informed on a regular basis that their contract is temporary so that termination does not come as a sudden shock to them. Masdar and their EPC Contractor to only work with approved primary suppliers. **Likelihood:** Low. Workers shall be contracted on short-term contracts and no retrenchment is expected to occur. Workers in all primary suppliers will also be regularly informed of their short-term contract terms and conditions.	**low**	Standard controls: • Human Resources Policies and Procedures • Supply Chain Management Plan • Human Resources (HR) Department to ensure that workers understand the terms of their employment. This will include regularly informing workers of the short-term nature of their contract.

Human Rights Issue	Risk to workers and/or Affected Communities?	Human Rights Context in Uzbekistan and the Project Area	**Human Rights Scan Assessment:** Scale: High, Medium or Low Scope: Individual, household, community, region Remediability: Steps that could be taken to address the risk before the harm occurs. Likelihood: High, Medium or Low	**Overall risk level** (High or Low)	**Proposed mitigation through implementation of Project plans and procedures**
Non-discrimination: The practice of ensuring equal treatment and respect for all individuals regardless of class, race, colour, sex, religion, gender, age, political or other opinion, national or social origin, property, sexual orientation, disability, employee status, marital status, familial connection, etc. Includes ensuring employees are free from harassment.	Workers – Part of the workforce may be subject to discrimination or harassment. Migrants and women are particularly at risk.	National legislation associated with the prohibition of discrimination on the grounds of race, gender and disability is reflected in the constitution and Article 6 of the Labor Code. In 2019 national legislation was amended to include a new law on gender equality through Law Number 562 on 'Guarantees of Equal Rights and Opportunities for Women and Men'. In 2019 the government lifted the ban on female workers in heavy industries and professions, such as mining, oil and gas enterprises, and construction, as part of a presidential decree on strengthening the guarantees of women's labour rights. According to the United States Uzbekistan 2020 Human Rights Report, discrimination does occur in the workplace to people with disabilities. Discrimination against members of ethnic groups were rare. Article 120 of the criminal code criminalises consensual same-sex sexual conduct between men, which is punishable by up to three years' imprisonment if convicted of this crime. The law does not criminalise consensual same-sex sexual conduct between women. Society generally considered same-sex sexual conduct as a taboo subject. There were no known lesbian, gay, bisexual, transgender, and intersex (LGBTI) organizations active in the country. There are generally deeply negative social attitudes related to sexual orientation and gender identity limited the freedom of expression of the LGBTI community and led to discrimination. The law does not prohibit discrimination against LGBTI persons in housing, employment, nationality laws, and access to government services, such as health care. Following the country's Universal Periodic Review in 2018, the government rejected recommendations related to decriminalization of LGBTI status and called LGBTI issues "*irrelevant to Uzbek society*." LGBTI activists report continued harassment from police during 2019. The law protects those infected with HIV from discrimination and provides for free health care.	**Scale:** High, as discrimination or harassment in the workplace could have significant impact on an individual's wellbeing. **Scope:** Individuals could be affected from human rights abuses. **Remediability:** Workers will be required to sign to a Worker Code of Conduct that will prohibit any form of discrimination or harassment in the workplace and ensure that the workplace is suitable for the presence of all persons. Masdar and their EPC Contractor to only work with approved primary suppliers. There will also be a specific code of conduct for security personnel that includes non-discrimination, treatment of women, and the use of force (all weapons are prohibited). **Likelihood:** Low. This human rights risk will be addressed through standard control measures that are applied using Masdar's ESMS. The Worker Grievance mechanism can be used to raise any concerns about the behaviour of other workers.	**Low**	Standard controls: • Human Resources Policies and Procedures • Worker Code of Conduct • Worker Grievance Mechanism • Construction Labour Management Plan • Security Management Plan

Human Rights Issue	Risk to workers and/or Affected Communities?	Human Rights Context in Uzbekistan and the Project Area	**Human Rights Scan Assessment:** Scale: High, Medium or Low Scope: Individual, household, community, region Remediability: Steps that could be taken to address the risk before the harm occurs. Likelihood: High, Medium or Low	**Overall risk level** (High or Low)	**Proposed mitigation through implementation of Project plans and procedures**
Occupational health and safety: A company should provide safe and healthy working conditions to workers, develop a policy to minimise safety risks, provide personal protective equipment free of charge, training, monitoring measures, and the ability of workers to remove themselves from work situations where imminent and serious health dangers are reasonably perceived, without undue consequences.	Workers – The direct and contracted workforce may be exposed to unsafe conditions, be required to pay for PPE, or undertake acts that they do not consider to be safe. Occupational health and safety risks that will need to be identified and mitigated to as low as reasonably practicable.	National legislation associated with occupational health and safety are regulated by the Labor Code, the Law "On Labor Protection" (No. ЗРУ-410 09/22/2016), the Regulation "On the Procedure for Education at Enterprises, Organizations and Institutions of the Labor Protection Fund and the Use of Its Funds" (Appendix to Resolution of the Cabinet of Ministers dated November 12, 2008 No. 245), Order of the Minister of Health of the Republic of Uzbekistan "On approval of the regulation on the procedure for medical examination of employees" (No. 2387 08/29/2012). The Ministry of Employment and Labor Relations establishes and enforces occupational health and safety standards in consultation with unions. Under national legislation, employers are obliged, no later than 15 working days from the date of the start of an employment agreement (contract), to ensure their civil liability for compensation for harm caused to the life or health of the employee in connection with work injury, occupational disease or other damage to health associated with the performance of his job duties. This obligation is enshrined in the Law of the Republic of Uzbekistan "On compulsory insurance of civil liability of the employer" (No. 177 June 24, 2009). An interview with the Head of Labour Department of Navoi on occupational health and safety on 08 July 2021 indicated that whilst there are state controls over labour legislation, a key problem is that there are not enough State Labour Inspectors in the Navoi Region to undertake the quantity of inspections necessary to prevent effectively, health and safety violations from occurring. Workers are generally aware of national health and safety legislation and the majority of violations are reported by workers. The best way to improve the health and safety protection of workers is to increase the number of State Labour Inspectors. According to the United States Uzbekistan 2020 Human Rights Report, the government effectively enforced these laws in the formal economy. No data was available on enforcement of these laws in the informal economy. Penalties for violations of occupational health and safety laws were generally very low. The law provides that workers may legally remove themselves from hazardous work if an employer fails to provide adequate safety measures for the job, and the employer must pay the employee during the time of the work stoppage or provide severance pay if the employee chooses to terminate employment. Workers generally did not exercise this right because it was not effectively supported, and employees feared retribution by employers.	**Scale:** High as an occupational health and safety incident could result in injury or death of a worker. **Scope:** The individual and their household could be affected from human rights abuses. **Remediability:** The primary suppliers used will be checked to ensure that they have adequate experience and competence to complete the tasks assigned to them, including the correct use of Personnel Protective Equipment (PPE), standard operating procedures associated with high-risk activities such as working from height and electrical safety, permit to work system, adequate emergency response measures and the provision of medical evacuation facilities. The occupational health and safety risks to the workforce will be addressed through the implementation of a risk-based Health and Safety Plan, method statements and standard procedures. A specialist team will be involved in commissioning electrical equipment and all commissioning work will be undertaken by competent persons. Masdar and their EPC Contractor will only work with approved primary suppliers. **Likelihood:** Low. This human rights risk will be addressed through standard control measures that are applied using Masdar's ESMS. All primary suppliers have experience in the type of construction activities to be undertaken, and the risks to the workforce are not unique.	**Low**	Standard controls: • Health and Safety Policy • Health and Safety Plan • Supply Chain Management Plan • Emergency Preparedness and Response Plan • Human Resources Policies and Procedures • Worker Grievance Mechanism

Human Rights Issue	Risk to workers and/or Affected Communities?	Human Rights Context in Uzbekistan and the Project Area	**Human Rights Scan Assessment:** Scale: High, Medium or Low Scope: Individual, household, community, region Remediability: Steps that could be taken to address the risk before the harm occurs. Likelihood: High, Medium or Low	**Overall risk level** (High or Low)	**Proposed mitigation through implementation of Project plans and procedures**
Wages (pay equity, standard of living): A company must protect the right to remuneration that provides workers with fair wages and equal remuneration for work of equal value. Remuneration must also be enough to provide workers with a decent living for themselves and their families.	Workers – The contracted workforce (such as cleaning staff or manual labourers) may be asked to work for very low pay (minimum wage) that does not provide a decent standard of living.	Minimum wage legislation is reflected by the Labor Code, Article 153 and the Decree of the President of the Republic of Uzbekistan "On improving the procedure for determining the size of wages, pensions and other payments" (No. UP-5723 05/21/2019). Since 2019, the minimum wage has changed as below: - 822,000.00 sum - 01.09.2021 - 747 300,00 sum - 01.02.2021 - 679 330.00 sum - 01.02.2020 - 634 880.00 sum - 01.09.2019 - 223,000.00 sum - 01.08.2019 At the time of preparing this report (September 2021) the minimum wage was 822,000.00 soms or 82 USD. The minimum wage does not apply to workers hired on a contract basis, where wage levels are specified by the contract. According to independent legal advice obtained by Wood, violations are very uncommon as minimum wage legislation is well-understood by society. Government inspectors undertake checks to ensure that minimum wage legislation is being adopted. Depending upon the role offered, the market based average salary is 2-3 times higher than minimum wage as the minimum wage is very low compared to the general cost of living.	**Scale:** Medium, as this depends on the difference between the salary provided and the relevant minimum wage category and salary. **Scope:** The individual and their household could be affected from human rights abuses. **Remediability:** In accordance with the Construction Labour Management Plan, primary supply chain companies will be audited to understand their salary levels and compliance with minimum wage legislation and checked to ensure that this provides a decent standard of living standard. This Plan will include a employment contract template for EPC locally hired direct staff. Also, the plan will outline the minimum conditions for work for any sub-contracted staff. Masdar and their EPC Contractor will only work with approved primary suppliers. A benchmarking exercise will be undertaken to establish the salary required to provide a decent standard of living, based upon the cost of living in Zarafshan City (the nearest major settlement to the Project Area. This will then be applied to all workers in primary suppliers. **Likelihood:** This human rights risk will be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Human Resources Policies and Procedures • Supply Chain Management Plan which will include auditing primary supply chain companies to gather information on their salary levels. • Worker Grievance Mechanism • Construction Labour Management Plan which will include completion of the benchmarking exercise.
Working Hours: Working hours should be no more than 48 hours a week, or 10 hours a day. Workers should have 1 day off every 7 consecutive days.	Workers – The workforce may be asked to excessive hours during construction.	Working hours are regulated by the Labor Code Article 139. The law establishes a standard workweek of 40 hours and requires a 24-hour rest period. The duration of vacations is calculated in working days according to the calendar based on a six-day working week. Holidays that fall on non-working days are not considered when determining the duration of the holiday. Leave due to the death of a close relative is not provided for in Uzbek law. The issue of how the above is applied to contract workers is not clear and the courts rule on individual cases, depending upon the content of written contracts and the terms and conditions. In general, the provisions of the Labor Code do not typically cover contract workers.	**Scale:** Medium, depending upon the quantity of excess overtime hours worked. **Scope:** Individuals and their household could be affected from human rights abuses. **Remediability:** All construction workers in primary suppliers shall be provided with details of the terms of their employment (including working hours, wages, deductions, etc.) prior to them accepting the role so that they are fully aware of the accommodation arrangements (if any), working time and period they are expected to attend the workplace on consecutive days without a break. Masdar and their EPC Contractor to only work with approved primary suppliers. **Likelihood:** Low. Whilst provisions of national legislation do not typically cover contracted workers, working terms and conditions will be provided to the workforce in primary suppliers. This human rights risk will be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Human Resources Policies and Procedures • Supply Chain Management Plan • Worker Grievance Mechanism • Construction Labour Management Plan

Human Rights Issue	Risk to workers and/or Affected Communities?	Human Rights Context in Uzbekistan and the Project Area	**Human Rights Scan Assessment:** Scale: High, Medium or Low Scope: Individual, household, community, region Remediability: Steps that could be taken to address the risk before the harm occurs. Likelihood: High, Medium or Low	**Overall risk level** (High or Low)	**Proposed mitigation through implementation of Project plans and procedures**
		Human Rights category: Civil and political			
Freedom of expression: The right to hold opinions free from outside interference is an absolute right, with narrow restrictions by States only permissible when in line with international Human Rights standards. Individuals have a right to seek, receive and impart ideas in whatever media or form they choose.	Workers – The direct and contracted workforce may not be able to express their opinions freely without fear of retribution. Affected Communities - The government may try and censor information in the public domain about a Project in a way which is not aligned with international human rights standards.	Freedom of speech is enshrined in the Constitution of the Republic of Uzbekistan, according to which everyone has the right to freedom of thought, speech and belief. In addition, the National Strategy of the Republic of Uzbekistan on Human Rights was adopted (No. UP-6012 06/22/2020). According to the United States Uzbekistan 2020 Human Rights Report, the law specifically prohibits publication of articles that incite religious conflict and ethnic discord or that advocate subverting or overthrowing the constitutional order. Independent media did not operate freely because the state exercises control over media coverage.	**Scale:** High as this freedom of expression applies to entire communities. **Scope:** Individuals and their communities could be affected from human rights abuses. **Remediability:** The Worker Code of Conduct will allow opinions to be freely expressed about the Project and activities undertaken by Masdar, unless this has the potential to cause offence to other workers such as the use of discriminatory language for example. Affected Communities will be provided with accurate and timely information about the Project through the implementation of the Stakeholder Engagement Plan and Masdar's female and male Community Liaison Officers (CLOs). **Likelihood:** The outcome of stakeholder engagement activities with local residents and affected farmers, herders and farm workers has not identified any strong opposition to the Project. There have been very isolated concerns raised about potential impacts to livestock from the construction of wind turbines and the generation of noise, but none of these have been systematically reported throughout the engagement activities completed. This human rights risk can be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Worker Code of Conduct • Worker Grievance Mechanism • Stakeholder Engagement Plan • Community Grievance Mechanism
Right to life and security of person: Individuals have the right not to be deprived of life arbitrarily or unlawfully. This includes the right to have one's life protected, for example, from physical attacks or health and safety risks.	Workers and Affected Communities – Security personnel used by the Project, which may include a combination of government and private security forces, may use inappropriate force against workers of people from Affected Communities.	National legislation prevents arbitrary arrest and detention, and people in the country are protected by the state from unlawful force from any person, including state security forces. According to the United States Uzbekistan 2020 Human Rights Report, these rights were very occasionally violated and linked to specific activists and journalists. Masdar will contract the services of a third-party security company to provide security at the worker camp/accommodation facility used, storage areas, and other locations where security is required. None of the security guards shall be armed.	**Scale:** High, as an incident could result in injury or death of a local person or substantially affect their wellbeing. **Scope:** Individuals and communities could be affected from human rights abuses. **Remediability:** Masdar will contract the services of a third-party security company or hire trained staff, to provide security at the worker camp/accommodation facility used, storage areas, and other locations where security is required. All security personnel contracted for the Project by primary suppliers will be screened to check if they have been involved in past human rights abuses, be provided with training and a Security Code of Conduct, a risk assessment will be completed, and their behaviour monitored by Masdar during completion of their contract. Masdar will encourage the third-party company to recruit female personnel so that not all of the security personnel are male. **Likelihood:** Low. The unlawful use of force by security forces is unlikely to occur given the controls described above although ongoing monitoring will still be required. This human rights risk can be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Security Management Plan • Security Personnel Code of Conduct • Community Grievance Mechanism
Privacy: Individuals have a right to be protected from arbitrary, unreasonable or unlawful interference with their privacy, family, home or correspondence and from attacks on their reputation. The State is allowed to authorize restrictions on privacy in line with international Human Rights standards, but 'arbitrary' restrictions are always prohibited.	Workers – Confidential information will be held by the Project and supply chain companies of the direct and contracted workforce.	The constitution provides for the right to privacy, and this is reflected in national legislation. Employers have a legal duty to keep confidential records of workers, private and out of the public domain.	**Scale:** Medium, although this depends upon the extent of any breach in privacy through the uncontrolled release of data. **Scope:** Individuals could be affected from human rights abuses. **Remediability:** All data gathered on workers and their personal situation (including health certificates) must be stored in a confidential manner in a locked room for paper records, and using password protected digital devices. **Likelihood:** Low, as the information to be held is likely to comprise basic details on each person for the purpose of human resources records only. Data breeches for this type of information are uncommon in Uzbekistan. This human rights risk can be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Human Resources Policies and Procedures • Worker Grievance Mechanism

Human Rights Issue	Risk to workers and/or Affected Communities?	Human Rights Context in Uzbekistan and the Project Area	**Human Rights Scan Assessment:** Scale: High, Medium or Low Scope: Individual, household, community, region Remediability: Steps that could be taken to address the risk before the harm occurs. Likelihood: High, Medium or Low	**Overall risk level** (High or Low)	**Proposed mitigation through implementation of Project plans and procedures**
		Human Rights category: Economic, social and cultural			
Right to education: All children have the right to free and compulsory primary education. The right also includes equal access to education and equal enjoyment of educational facilities, among other aspects.	Affected Communities – Restrictions in access to educational facilities during construction could disrupt children's education.	Compulsory 11-year education is enshrined in the Law "On Education" (ZRU-637-sleep 09/23/2020). Failure by parents or persons to fulfill their responsibilities for the upbringing and education of minor children is punishable in accordance with Article 47 of the Code of Administrative Responsibility. School attendance is very high within urban areas. Within rural areas, school attendance can be lower. Stakeholder engagements with representatives of schools in the rural villages located across the Project Area indicate that attendance is very high (sometimes 100%), does not depend upon gender, and parents support the education of their children.	**Scale:** Low as changes in access to educational facilities are not expected during the duration of construction, through restrictions to accessing land or other source of impact. **Scope:** Individuals and communities could be affected from human rights abuses. **Remediability:** None required as the Project will not generate access restrictions to schools. If any impacts do occur to schools or children's access to educational facilities, then these can be raised through the Community Grievance Mechanism. **Likelihood:** Low. This human rights risk can be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Community Grievance Mechanism
Right to health: Individuals have a right to the highest attainable standard of physical and mental health. This includes the right to have control over one's health and body, and freedom from interference.	Affected Communities – The Project will generate community health and safety risks associated with the use of vehicles, construction machinery, the presence of excavations, and other sources of risk during construction. During operation, the OHLs will generate electronic magnetic fields (EMF). *NOTE: although there is often concern about the potential health effects associated with exposure to EMF there is no empirical data demonstrating adverse health effects from exposure to typical EMF levels from power transmission lines and equipment.*	The constitution provides for the right to health. Free medical care is provided: • For emergency medical care; • For disabled people; • Pensioners for certain types of services; • Minors for certain types of services; • Family members in local clinics for certain types of services. The state partially provides services to the population free of charge, but in more specialised areas services are paid. There is no compulsory health insurance in the country. Fees charged by private healthcare providers can be substantial compared to an average worker's salary. A variety of healthcare facilities are available within the Project Area, including clinics and village-based medical centres. However, not all the village-based medical centres are always open to local residents.	**Scale**: High as an incident could result in injury or death of a local person. **Scope:** Individuals and communities could be affected from human rights abuses. **Remediability:** Construction risks and impacts for this type of Project are well-understood. A Community Health and Safety Plan will be implemented and include commitment to, for example, fence off all working areas where machinery and/or excavations are present to prevent unauthorised entry, provide workers with free medical care, informing local people (including farmers, herders and farm workers) of the presence of construction works in advance and the associated risks of trying to enter them, and all working areas will be attended by security personnel to prevent trespass. A series of engagements will be undertaken with women and young people in schools (plus additional engagements in settlements where children do not regularly attend school) to warn them about the dangers of approaching construction working areas. Workers will be provided with first aid, free of charge (including the non-local workforce), suitable sun protection and shaded areas for respite, access to clean water to avoid heat stress and dehydration, and welfare facilities. Worker health screening to be undertaken including preventative measures for the control of transmissible diseases such as COVID-19. Prior to the start of operations, local people will be informed that activation of the windfarm will not result in negative health impacts, to avoid misconceptions about perceived adverse impacts to human health. Local people will also be warned about the potential dangers of ice throw, and a series of public engagement activities will be undertaken in a similar manner to those undertaken during construction (described above). **Likelihood:** Low, as health risks to workers and affected communities can be managed through the use of standard controls. This human rights risk can be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Community Health and Safety Plan • Stakeholder Engagement Plan • Community Grievance Mechanism • Health and Safety Policy • Health and Safety Plan • Worker Grievance Mechanism

Human Rights Issue	Risk to workers and/or Affected Communities?	Human Rights Context in Uzbekistan and the Project Area	**Human Rights Scan Assessment:** Scale: High, Medium or Low Scope: Individual, household, community, region Remediability: Steps that could be taken to address the risk before the harm occurs. Likelihood: High, Medium or Low	**Overall risk level** (High or Low)	**Proposed mitigation through implementation of Project plans and procedures**
Right to Water: Individuals have the right to water and sanitation	Workers – The direct and contracted workforce will need to be provided with safe drinking water and suitable sanitation facilities. Affected communities – have the right to drinking water supplies.	The right to water is reflected in the constitution. Water scarcity is a problem within settlements in the Project Area and there have been numerous requests for assistance in improving access to clean water during the stakeholder engagement activities completed. Water scarcity, heat waves and increased frequency of high heat days (over 39°C) are the most severe risks from climate change[5]. All water required for construction purposes will be either imported to the site via tankers, potentially from Zarafshan City or through utilization of a well(s) on the Project site. Bottled drinking water will be provided for the construction workers. A water resource availability assessment will be carried out for the Project, with the necessary permit / agreement obtained from the local State Unitary Enterprise for Water Supply and Wastewater (SUVSOZ) by the EPC Contractor prior to construction. If a well(s) is to be utilized, a hydrogeological survey will be undertaken.	**Scale:** High as water is essential for sustaining life and the Project is in a dry, hot location where water intake will be important to maintain and monitor to prevent dehydration. **Scope:** Individuals could be affected from human rights abuses. **Remediability:** Adequate drinking water and sanitation facilities will be provided to the workforce at construction sites and at all accommodation facilities (the camp or other type of accommodation facility used). The standard of accommodation provided to the workforce shall comply with the applicable requirements of the IFC/EBRD Guidance Note on Workers' accommodation: processes and standards (2010). A water resource availability assessment shall be undertaken to identify the optimum source(s) of water which is not yet defined. **Likelihood:** High, as the actual source of water for the Project is not yet defined and additional work is required. The human rights risk rating also reflects that the Project is located in an area where drought is common, and water is generally a scarce commodity.	**High**	Standard controls: • Health and Safety Plan • Camp Management Plan (or similar depending upon the accommodation arrangements of the non-local construction workforce) • Worker Grievance Mechanism Plus: • Water Resource Availability Assessment to identify the optimum source(s) of water to be used for the Project, assess potential impacts, and design a suitable monitoring framework to demonstrate no adverse impacts are occurring from the Project's use of water.
Social Insurance: This right obliges the State to create and maintain a system of social security that provides adequate benefits for a range of issues, including injury in the workplace and from unemployment.	Workers – The direct and contracted workforce will need to be provided with social insurance from their employer in accordance with national legislation to ensure that they have adequate compensation from any injury or fatality that occurs.	Social security is provided for by Labor legislation "On State Pension Provision" (No. 938-XII 03.09.1993). Pensions for disability due to work injury or occupational disease are assigned regardless of the length of service. Pensions for disability due to a general illness are assigned upon the presence of a certain length of service and depend on age. Persons who have become disabled as a result of a general illness during the period of work, or after its termination before reaching 20 years of age, are assigned pensions regardless of the length of service. The size of the disability pension is currently 565,000 soms a month or 56 USD/month.	**Scale:** High, as an occupational health and safety incident could result in injury or death of a worker or local person. **Scope:** Individuals could be affected from human rights abuses. **Remediability:** All companies involved in the Project will be required to provide occupational insurance in accordance with national legislation, and this will be reflected in the tender and contractual documents used with primary suppliers. Masdar and their EPC Contractor to only work with approved primary suppliers. **Likelihood:** Low, as occupational insurance shall be provided to all workers. This human rights risk can be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Human Resources Policies and Procedures • Worker Grievance Mechanism • Labour Management Plan • Supply Chain Management Plan
Human Rights category: Land and resettlement					
The right to property ownership: The right obliges the State to enable citizens to have the right to enjoy private property (land, structures and other assets) without the fear or expropriation being undertaken in a way that does not provide them with adequate notice and compensation.	Affected Communities – The loss, or loss of access to, privately held land and assets could impact the health, wellbeing and economic livelihoods of affected persons.	The Land Code is the main regulatory framework for land related matters in Uzbekistan. The Land Code regulates the allocation, transfer and sale of land plots, and defines ownership and rights on land. The Land Code also describes responsibilities of different state authorities including the Cabinet of Ministers, the province, the district, and city Khokimiyats (the regional state administrative body) in land management; rights and obligations of land possessor, user, tenant and owner; land category types, land acquisition and compensation, resolution of land disputes and land protection. The Land Code also defines the terms of rights termination on land plot, seizure and land acquisition of land plot for state and public needs, and the terms of seizure of land plot in violation of land legislation. Compensation must be paid in advance of the acquisition and occupancy of land.	**Scale:** Low. There are Land Lease Agreements held by 9 farmers in the Project Area. Project infrastructure is present within 6 Land Lease Agreements where access restrictions and changes in land use will occur, which will be involuntarily. The scale is 'Low' as the maximum level of impact is predicted to be 1.7% within Land Lease Area 3 during construction, which will be hardly noticeable by the farmer given the typically large seasonal variations in the weather. **Scope:** Individuals (farmers, herders and farm workers) and their respective households could be affected, as well as local people using land outside of Land Lease Agreements on a communal basis from human rights abuses. **Remediability:** To address impacts arising from economic displacement Masdar has prepared a Livelihood Restoration Plan. **Likelihood:** Low. Impacts to farmer's livelihoods will occur, albeit on a very small scale as described above. A loss of communal land will also occur which will be experienced by local people from the surrounding smaller villages. This human rights risk can be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Livelihood Restoration Plan

[5] World Bank Climate Change Knowledge Portal. Available at: https://climateknowledgeportal.worldbank.org/country/uzbekistan/vulnerability [accessed 28 September 2021].

Human Rights Issue	Risk to workers and/or Affected Communities?	Human Rights Context in Uzbekistan and the Project Area	**Human Rights Scan Assessment:** Scale: High, Medium or Low Scope: Individual, household, community, region Remediability: Steps that could be taken to address the risk before the harm occurs. Likelihood: High, Medium or Low	**Overall risk level** (High or Low)	**Proposed mitigation through implementation of Project plans and procedures**
Compensation and the right to an adequate standard of living: Compensation should be calculated at full replacement cost which does not take into consideration the depreciation of structures and other non-land assets. Affected persons have the right to be compensated prior to land access restrictions being imposed and be provided with additional measures to maintain their standard of living and livelihood. Such measures include the provision of in-kind compensation rather than cash, practical support (including legal advice and relocation allowances), transitional support, livelihood restoration measures and the ability to raise a grievance.	Affected Communities – The resettlement of affected persons has the potential to result in long-term changes to mental health and wellbeing of the household, standards of living and livelihood status.	In accordance with the Land Code, losses caused by violation of the rights of land users, tenants and landowners (including lost profits), shall be reimbursed in full (Article 41, Clause 3). The withdrawal of the land for state or public needs, may be enacted after allocating a land user or tenant an equivalent land plot and the compensation all losses including lost profits (Article 41, Clause 4). National legislation does not require compensation to be paid where access restrictions occur to areas of land used informally by local people, on a communal basis.	**Scale:** Low. A detailed survey of each location of Project infrastructure has indicated that there are no physical assets of any type (such as a structure or artificial drainage feature for example) present where construction works will take place. On this basis, the Project's economic displacement is limited to the loss of area available within the Land Lease Agreements, and the loss of land used communally for grazing and other activities (such as hunting). **Scope:** Individuals (farmers, herders and farm workers) and their respective households could be affected, as well as local people using land outside of Land Lease Agreements on a communal basis from human rights abuses. **Remediability:** To address impacts arising from economic displacement Masdar has prepared a Livelihood Restoration Plan. **Likelihood:** Low. This human rights risk can be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Livelihood Restoration Plan
Compensation in the context of gender and vulnerability: Impacts arising from resettlement may be disaggregated by gender and vulnerability status due to a complex combination of cultural issues where land-related agreements are typically undertaken by men only, educational barriers where women are less educated than men and less willing to 'have a voice' in households affected by resettlement, and less able to adapt to a new place of living or livelihood once land access restrictions have been imposed by the Project.	Affected Communities – Resettlement impacts may be disproportionally experienced by women and vulnerable people.	National legislation does not require additional support to be provided to vulnerable people involved in a resettlement process. The gender dimensions of resettlement impacts do not need to be identified or assessed under national legislation.	**Scale:** Low as the level of economic displacement is very low (refer to the above), affecting directly just a few persons. The communal loss of land is also very low, considering the general availability of land within the Project Area. **Scope:** Individuals and their households could be affected from human rights abuses. **Remediability:** Preparation of the Livelihood Restoration Plan has involved detailed engagements with women of farmer households, women in local communities, and women from educational establishments within the surrounding villages in the Project Area. The households of affected farmers have been subjected to a detailed socio-economic survey to identify potential sources of vulnerability. **Likelihood:** Low. In principle, impacts from economic displacement could occur to women and vulnerable people and these have been identified in the LRP. However, the overall severity of the impact is low. This human rights risk can be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Livelihood Restoration Plan
Human Rights category: Group Rights/Heightened Risk of Vulnerability					
Children's Rights: The Convention on the Rights of the Child establishes global standards to ensure the protection, survival, and development of all children, without discrimination.	Workers and Affected Communities – The employment of children, or the forcing of parents to work excessive hours, will impact the welfare rights of children.	Specific protections are included in legislation to protect the well-being of children: Law "On guarantees of the rights of the child" (No. ЗРУ-139 07.01.2008) and law "On the Protection of Children from Information Harmful to Their Health" (No. ЗРУ-444 09/08/2017). Stakeholder engagement activities completed with herders have indicated that they typically work away form the family home for extended periods of time (4-6 weeks) before returning home.	**Scale:** Low as remote working will only apply to the non-local workforce (350) as the local workforce (also 350 personnel) will be generally based at home. **Scope:** Individual children and their household could be affected from human rights abuses. **Remediability:** The incoming, non-local workforce will be provided with details of the terms of their employment prior to them accepting the role so that they are fully aware of worker accommodation arrangements, working periods and the time they are expected to attend the workplace on consecutive days without a break. **Likelihood:** Low, as it is common for workers to work away from home in Uzbekistan and it will be clear to workers, before they accept the contract, that they will be based away from home for extended periods of time. This human rights risk can be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls • Human Resources Policies and Procedures • Supply Chain Management Plan • Construction Labour Management Plan

Human Rights Issue	Risk to workers and/or Affected Communities?	Human Rights Context in Uzbekistan and the Project Area	**Human Rights Scan Assessment:** Scale: High, Medium or Low Scope: Individual, household, community, region Remediability: Steps that could be taken to address the risk before the harm occurs. Likelihood: High, Medium or Low	**Overall risk level** (High or Low)	**Proposed mitigation through implementation of Project plans and procedures**
Disability Rights: The Convention on the Rights of Persons with Disabilities promotes global standards intended to protect the rights and dignity of people with disabilities in and outside of the workplace.	Workers – Discrimination in the workforce against the employment of people with disabilities impacts the rights of the disabled.	Persons with disabilities are provided with additional protection under Law "On the Rights of Persons with Disabilities" (No. ЗРУ-641 15.10.2020). There are no civil society organisations in the Project Area that support the welfare of disabled people. Engagement with the Director of the Society of Disabled People of Kanimekh district, Navoi region was undertaken in August 2021 and indicated that their organisation has been active since 2016, and they are involved with the provision of specialist equipment and premises to disabled people.	**Scale:** Low. None of the households affected by land access restrictions or land use change have a disabled person in their household. However, disabled people in local communities could apply for temporary employment positions. **Scope:** Individuals and their household could be affected from human rights abuses. **Remediability:** The Project shall support disabled people to apply and become part of the skilled and low-skilled workforce. The Worker Code of Conduct shall prevent discrimination in the workplace to disabled people. **Likelihood:** Low, as the Project will be able to prevent discrimination in the workforce to disabled people through the measures described above. This human rights risk can be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Human Resources Policies and Procedures • Worker Code of Conduct • Worker Grievance Mechanism • Supply Chain Management Plan • Construction Labour Management Plan
Migrants Rights: The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families establishes how migrant workers, and their families should be protected.	Workers – Migrant works from elsewhere in the country or from a neighbouring country, including refugees, may be present in the direct and contracted workforce, and may be subjected to different working conditions due to their migrant status.	National legislation does not provide special rules for the protection of the rights of migrants and they enjoy the same rights as any other citizen of the Republic of Uzbekistan. A visa is required for the presence of non-citizens in accordance with the Regulation "On the procedure for attracting and using foreign labor in the Republic of Uzbekistan" (Appendix No. 1 to the Resolution of the Cabinet of Ministers dated March 25, 2019 No. 2). There are no civil society organisations that support the welfare of migrants active in the Project Area. The location of the 350 non-local workforce is not known although it is expected that they will be from Uzbekistan and expatriate workers will arrive from China. There are no publicly available reports of ethnic conflict occurring in the Navoi Region. According to stakeholder engagement with the Chair of Mahalla Yangi Zarafshan, the ethnic composition across Zarafshan City is 40% Kazakhs, 40% Uzbeks, 10% Karakalpaks, 5% Tajiks, and 5% Russians. No ethnic conflicts were reported to have historically occurred between different ethnic groups.	**Scale:** Medium as approximately half of the Project's workforce during construction are expected to be from outside of the Project Area, either from other locations in the country, or from China. **Scope:** Individuals and their household could be affected by human rights abuses. **Remediability:** Screening of all primary suppliers to understand their internal controls to ensure workers are treated equally, irrespective of their origin, ethnicity or other difference, and the actions they take to monitor the presence of migrants within their own, internal supply chain companies. Masdar and their EPC Contractor to only work with approved suppliers. **Likelihood:** Low as whilst there is the potential for non-local workers to be considered as 'migrants' to the area even if they are citizens, this human rights risk can be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Human Resources Policies and Procedures • Worker Code of Conduct • Worker Grievance Mechanism • Supply Chain Management Plan • Construction Labour Management Plan
Women's Rights: The Convention on the Elimination of all Forms of Discrimination Against Women exists to promote women's rights and their protection.	Workers – There is the potential for women to be subject to discrimination, harassment and be provided with lower working conditions compared with men. Affected Communities – Women in local communities may be less willing to raise a grievance or apply for a temporary job.	The following legislative acts protect the rights of women: The Law "On the Protection of Women from Oppression and Violence" (No. ЗРУ-561 09/02/2019); and the Law "On guarantees of equal rights and opportunities for women and men" (No. ЗРУ-562 09/02/2019). There are no such NGOs in Zarafshan city and Tamdy district that promotes the interests of women. Extensive stakeholder engagements undertaken during preparation of the ESIA and LRP with women have indicated that many are interested in applying for temporary employment positions during the construction stage. Additionally, many male farmers engaged with indicated that women would not be interested. This reflects a difference in views amongst the local population.	**Scale:** High as discrimination or harassment in the workplace could have significant impact on an individual's wellbeing. **Scope:** Individuals could be affected from human rights abuses. **Remediability:** Workers will be required to agree to comply with the Worker Code of Conduct that will prohibit any form of discrimination or harassment in the workplace and ensure that the workplace is suitable for the presence of women and different ethnic groups. Masdar will actively encourage women to apply for temporary employment positions during construction, in accordance with the Labour Management Plan. Masdar and their EPC Contractor to only work with approved suppliers. **Likelihood:** Low, as the Project will be able to prevent discrimination in the workforce through the measures described above. This human rights risk can be addressed through standard control measures that are applied using Masdar's ESMS.	**Low**	Standard controls: • Human Resources Policies and Procedures • Worker Code of Conduct • Worker Grievance Mechanism • Supply Chain Management Plan • Construction Labour Management Plan

5 Summary

The results of the Human Rights Risk Assessment have identified the following as having a 'High' risk which requires further investigation and detailed assessment:

Right to Water: Individuals have the right to water and sanitation. The sources of water required for the Project are not yet defined. The Project is located in a water scarce area. Stakeholder engagement activities have consistently indicated that local people find it difficult to obtain suitable quantities of water for drinking and other purposes. A water resource availability assessment is required to identify the optimum source(s) of water to be used for the Project, assess potential impacts, and design a suitable monitoring framework to demonstrate no adverse impacts are occurring from the Project's use of water. Masdar is considering the option to locate the worker camp in a rented location at the outskirts of Zarafshan City which has existing connections to water supply and sanitation networks, which will minimise the impact from the arrival of the non-local workforce and the expected increase in water demand.

The remainder of the human right risks shall be managed through Masdar's ESMS. The scope of the ESMS for the Project will include:

- The operational standards to be applied to the Project, referred to as the "Applicable Standards".
- Masdar's policy for environmental management, occupational health and safety, labour and community health, safety and security.
- Organisational chart for environmental, social, health and safety (ESHS) elements, roles and responsibilities and Contractor management.
- ESHS reporting – both of routine and incidents / accidents.
- Audit, review and management of non-conformances.
- Community grievance mechanism (see also the SEP).
- Workers' grievance mechanism.

A number of management plans (sub-plans) will be produced in support of the ESMS. Management plans consist of a combination of operational policies, procedures and practises. These plans will provide a system against which to monitor and audit environmental and social performance. In addition, they will detail the practical methods required to ensure work is completed in accordance with current best practice, the mitigation measures in the ESIA and legislative and regulatory requirements.

The construction management plans are anticipated to include (but not be limited to):

- Human Resources Policies and Procedures.
- Workers' Code of Conduct.
- Worker Grievance Mechanism.
- Construction Labour Management Plan.
- Worker Accommodation Plan.
- Stakeholder Engagement Plan.
- Community Grievance Mechanism.
- Supply Chain Management Plan.
- Security Personnel Code of Conduct
- Security Management Plan.
- Community Health and Safety Plan.

- Communicable Diseases Management Plan.
- Occupational Health and Safety Plan.
- Emergency Preparedness and Response Plan.
- Hazardous and Non-Hazardous Waste Management Plan.
- Hazardous Substances Management Plan.
- Wastewater Management Plan.
- Pollution Prevention and Control Plan.
- Dust Management Plan.
- Noise Management Plan.
- Biodiversity Management Plan.
- Adaptive Management and Monitoring Plan.
- Chance Find Procedure.
- Transport Management Plan.
- Influx Management Plan.
- COVID-19 Management Plan.

A variety of operational management plans shall be prepared, in advance of the start of operations and these documents shall take into consideration any lessons learned gained from the construction stage of the Project.